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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MYSCHOOL, INC., a Nevada Corporation;)	Case No.: 2:15-cv-01797-JCM-CWH
JOSEPH CARPENTER, an individual,)	
)	
Plaintiffs,)	STATEMENT CONCERNING
)	REMOVAL
vs.)	
)	
JUDD LILLESTRAND, an individual;)	
MATTHEW GOATCHER, an individual;)	
ANGELES CREST WEB, LLC; Doe)	
Individuals I through X, and Roe)	
Corporations I through X,)	
)	
Defendants.)	

Defendants Matthew Goatcher,¹ Angeles Crest Web, LLC (“ACW”),² and Judd Lillestrand³ (collectively, “Defendants”) respectfully submit this Statement Concerning Removal.

1. The date(s) on which you were served with a copy of the complaint in the removed action.

Mr. Goatcher was served with a copy of the complaint in California on September 10, 2015. Single copies of the complaint and a summons were left at his residence in California. Mr. Goatcher is the managing member and sole member of ACW. Mr. Lillestrand’s mother-in-law was served

¹ On September 21, 2015, Mr. Goatcher filed a motion to dismiss due to a lack of personal jurisdiction. (ECF No. 4.)

² On September 24, 2015, ACW filed a motion to dismiss due to a lack of personal jurisdiction and improper service of process. (ECF No. 5.)

³ Mr. Lillestrand has not yet appeared in this action and does not consent to jurisdiction in Nevada. He will be filing a motion to dismiss due to a lack of personal jurisdiction and improper service of process.

1 with a copy of the complaint at her residence in California on September 21, 2015. Mr. Lillestrand
2 has not been personally served with a copy of the complaint.

3 **2. The date(s) on which you were served with a copy of the summons.**

4 On September 10, 2015, Mr. Goatcher was served in California with a single summons
5 addressed "to the Defendant(s)". (See ECF No. 5-3, Summons.) Because Plaintiffs did not obtain a
6 separate summons for ACW and did not serve Mr. Goatcher with a separate summons directed to
7 ACW, ACW contends it has not been properly served with a summons and has filed a pending
8 motion to dismiss. (See ECF No. 5, ACW's Motion to Dismiss, at 5:24 – 7:5.) Mr. Lillestrand's
9 mother-in-law was served with a summons at her residence in California on September 21, 2015. Mr.
10 Lillestrand has not been personally served with a summons.

11
12 **3. In removals based on diversity jurisdiction, the names of any served defendants who**
13 **are citizens of Nevada, the citizenship of the other parties and a summary of**
14 **defendant's evidence of the amount in controversy.**

15 Defendants respectfully direct this Court to the sections of Mr. Goatcher's Notice of Removal
16 addressing these issues. (See ECF No. 1 at 2:22 – 3:24, 4:1 – 5:5.) As explained therein, Defendants
17 are citizens of California, Plaintiffs are citizens of Nevada, and Plaintiffs claim they were overbilled
18 by approximately \$55,000.00 and also request punitive damages, which could total \$300,000.00
19 under Nev. Rev. Stat. § 42.005(1)(b).

20 **4. If your notice of removal was filed more than thirty (30) days after you first**
21 **received a copy of the summons and complaint, the reason removal has taken place**
22 **at this time and the date you first received a paper identifying the basis for removal.**

23 Not applicable.

24 **5. In actions removed on the basis of the court's jurisdiction in which the action in**
25 **state court was commenced more than one year before the date of removal, the**
26 **reasons this action should not summarily be remanded to the state court.**

27 Not applicable.

28 **6. The name(s) of any defendant(s) known to have been served before you filed the**
notice of removal who did not formally join in the notice of removal and the reasons
they did not.

1 Mr. Goatcher was the first Defendant served and filed the Notice of Removal.⁴ All
2 Defendants consented to the removal of this action. (See ECF No. 1, pg. 2, ¶ 5.)

3 DATED this 5th day of October, 2015.

4 CARBAJAL & MCNUTT, LLP

5
6 /s/ Matt Wolf

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13 Attorneys for Defendants

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28 ⁴ As explained in ACW's pending motion to dismiss, ECF No. 5, ACW contends it has not been properly served. Mr. Goatcher understood the single summons that was served upon his residence to have been directed to him alone in his individual capacity. (ECF No. 5-1, ¶ 10.)

CERTIFICATE OF MAILING

I HEREBY CERTIFY that pursuant to F.R.C.P. 5 on the 5th day of October, 2015, I caused service of the foregoing **STATEMENT CONCERNING REMOVAL** by mailing a copy by United States Postal Service, postage prepaid and/or via electronic mail through the United States District Court's CM/ECF system to the following at their last known address and e-mail:

Robert Z. DeMarco
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Attorney for Plaintiffs

/s/ Lisa Heller
Employee of Carbajal & McNutt, LLP